

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.22 OF 2007

IN

SUMMARY SUIT NO.2467 OF 2006

Hutchison Essar Ltd.

...Plaintiff.

vs.

Comptel Network System(I) Ltd.

...Defendant.

Ms.Padmaja Dholkia i/b. Dholakia Gupte & Co., for Plaintiff.

Mr.Suresh Dubay, for Defendant.

CORAM: D.K.DESHMUKH,J.

DATED: 13th February, 2007.

P.C.:-

1. The suit of the plaintiff is based on the agreement under which the SIM cards were given to the defendant. The defendant did not pay the bills. Therefore, a letter was written and that letter was duly received but there is no reply. The summons for judgment is served on 10.1.2007. Within the period allowed by Order 37 of the Civil Procedure Code, there is no application made by the defendant for leave to defend. Therefore, in terms of the provisions of Order 37 of

C.P.C. the plaintiff is entitled to judgment.

2. Heard the learned Counsel appearing for plaintiff. Perused the record. Summons for judgment is granted. Suit of the plaintiff is decreed in terms of prayer clause of the suit. Refund of court fees as per rules.
